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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/390,532	09/03/1999	STEFAN SCHRADI	52435	7054

7590 07/03/2002

MARTIN A FARBER  
SUITE 473  
866 UNITED NATIONS PLAZA  
NEW YORK, NY 10017

EXAMINER

NGUYEN, FRANCIS N

ART UNIT	PAPER NUMBER
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2674

DATE MAILED: 07/03/2002

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Please find below and/or attached an Office communication concerning this application or proceeding.

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# Office Action Summary

Application No.

09/390,532

Applicant(s)

SCHRADI ET AL.

Examiner

FRANCIS NGUYEN

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on 29 November 1999.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☐ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Preliminary Amendment***

The Preliminary amendment filed on 11/29/1999 is now entered.

#### ***Drawings***

1. The drawings are objected to because descriptive words for claimed elements are missing in all figures. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

#### ***Specification***

1. The abstract of the disclosure is objected to because of unnecessary phrase "Figure 5" (End of Abstract) to be removed. Correction is required. See MPEP § 608.01(b).

#### ***Claim Objections***

2. Claims 1-14 are objected to because of the following informalities: lack of flow in English syntax and punctuation in all of claims 1-14. The examiner strongly suggests redrafting claims for clarity and aforementioned flow. Appropriate correction is required.

#### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wiedemann et al. ( U.S. Patent 5,347,293) in view of Kaneko ( U.S. Patent 5,388,203).

As to **claims 1-5**, Wiedemann et al. discloses a device for display in a vehicle comprising a control unit ( **control circuit 17**, figure 1) and a display unit ( **display unit 16**, column 2, lines 51-65, figure 1). However, Wiedemann et al. fails to expressly teach displaying of pictograms. Kaneko teaches a function extraction apparatus comprising a display for displaying a plurality of icons ( Abstract, column 3, lines 41-62). It would have been obvious to a person of ordinary skill in the art at the time of the invention to utilize the apparatus taught by Wiedemann and implement display of pictograms as taught by Kaneko in order to obtain the combined apparatus Wiedemann et al. modified by kaneko, **because it would result in ease of user selection based on visual symbols in a vehicle where quick glance is necessary for user interface.**

As to **claims 6-14**, Wiedemann et al. discloses a method for display in a vehicle comprising the steps of display via use of a control unit ( **control circuit 17**, figure 1) and a display unit ( **display unit 16**, column 2, lines 51-65, figure 1). However, Wiedemann et al. fails to expressly teach method step of displaying of pictograms. Kaneko teaches a method for displaying pictograms via a function extraction apparatus comprising a display for displaying a plurality of icons ( Abstract, column 3, lines 41-62). It would have been obvious to a person of ordinary skill in the art at the time of the invention to utilize the method/apparatus taught by Wiedemann et al. and implement method of display of pictograms as taught by Kaneko in order to obtain the combined

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method/apparatus Wiedermann et al. modified by Kaneko, **because it would result in ease of user selection based on visual symbols in a vehicle where quick glance is necessary for user interface.**

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### *Conclusion*

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent 5,491,795 Beaudet et al.

Reference Beaudet et al. is made of record as it discloses a window management system with a hierarchy of iconic array and miniature window.

6. **Any inquiry concerning this communication or earlier communications from the examiner should be directed to Francis Nguyen ( 8:00AM to 4:30PM) whose telephone number is (703) 308-8858.**

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Richard Hjerpe**, can be reached at **(703) 305-4709**.

***Any response to this action should be mailed to:***

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**

**(703) 872-9314 ( for Technology Center 2600 only)**

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

FRANCIS NGUYEN  
Examiner  
Art Unit 2674

A handwritten signature in cursive script, appearing to read 'Francis Nguyen', written in black ink.

**Francis Nguyen**

June 22nd, 2002